

86th Legislative Session – 2011

Committee: Senate Judiciary

Thursday, January 27, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Begalka
P Hunhoff (Jean)
P Nygaard
P Vehle
E Buhl
P Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, JANUARY 25, 2011

Moved by: Hunhoff (Jean)
Second by: Begalka
Action: Prevailed by voice vote.

SB 34: create the crime of possessing, selling, or distributing certain substances intended for the purpose of intoxication.

Presented by: Marty Jackley, Attorney General

MOTION: DO PASS SB 34

Moved by: Cutler
Second by: Vehle
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

SB 35 and SB 54 were heard together.

SB 35: revise certain provisions regarding the crime of taking pictures without consent.

Presented by: Marty Jackley, Attorney General

SB 54: criminalize certain acts exploiting minors and to provide a penalty therefor.

Presented by: Senator Dan Lederman (Handouts: #1)

Proponents: Alexis Tracy, Union County States Attorneys Office

Marty Jackley, Attorney General responded to questions from the committee.

MOTION: AMEND SB 35

35ra

On page 2, line 1, of the printed bill, after "." insert "However, a violation of this section is a Class 6 felony if the victim is seventeen years of age or younger and the perpetrator is at least twenty-one years old.".

Moved by: Begalka
Second by: Nygaard
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: AMEND SB 35

35rb

On the previously adopted amendment (35ra), delete "twenty-one" and insert "twenty-five".

Moved by: Vehle

Second by: Nygaard
Action: Failed by roll call vote. (2-4-1-0)

Voting Yes: Hunhoff (Jean), Vehle

Voting No: Begalka, Nygaard, Cutler, Tieszen

Excused: Buhl

MOTION: DO PASS SB 35 AS AMENDED

Moved by: Cutler
Second by: Nygaard
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: AMEND TITLE OF SB 35

35rta

On page 1, line 2, of the printed bill, after "consent" insert "and to provide for a felony penalty under certain circumstances".

Moved by: Nygaard
Second by: Begalka
Action: Prevailed by voice vote.

MOTION: DEFER SB 54 TO THE 41ST LEGISLATIVE DAY

Moved by: Cutler
Second by: Hunhoff (Jean)
Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Begalka, Hunhoff (Jean), Nygaard, Vehle, Cutler, Tieszen

Excused: Buhl

MOTION: ADJOURN

Moved by: Nygaard
Second by: Vehle
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair